



August 7, 2024

VIA ECF

Hon. Jennifer H. Rearden
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Richards, et al. v. City of New York*, Case No. 1:23-cv-10220-JHR

Dear Judge Rearden,

We represent the Plaintiffs in the above-referenced case, and write on behalf of both Parties in response to Your Honor's July 23, 2024 ECF Notification Order requiring the Parties to provide a status report on mediation by August 7, 2024.

Pursuant to the Court's February 8, 2024, Mediation Referral Order, this Fair Labor Standards Act case involving the claims of 698 sanitation workers employed by the New York Sanitation Department was referred to mediation. Recognizing that it would take Defendant some time to collect and produce the payroll and hours of work data necessary for Plaintiffs to make an informed settlement demand and then to obtain the necessary authority to enter meaningful mediation, the parties scheduled mediation for August 7, 2024.

Defendant began its data production on May 21, 2024, but was not able to complete the production until July 19, 2024. Thereafter, Plaintiffs' expert analyzed the data and built a damages model which Plaintiffs shared with Defendant along with their settlement demand on July 26, 2024. Because defense counsel needed time to review Plaintiffs' demand and the underlying calculations, on July 22, 2024, defense counsel notified the mediator that the parties would need to reschedule the August 7, 2024, mediation. The Parties are in the process of rescheduling the mediation for the end of September, currently focusing on September 25th or 26th.

The Parties remain confident that they will be able to resolve this matter through settlement discussions and mediation. Accordingly, they propose that they file a Joint Status Letter informing the Court of the status of mediation by no later than September 30, 2024.

We thank the Court for its consideration.

Sincerely,

McGILLIVARY STEELE ELKIN LLP

A handwritten signature in black ink, appearing to read 'Molly A. Elkin'.

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Molly A. Elkin

cc: All counsel (via ECF)